

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

HORACE LOGGINS,

Petitioner,

v.

JEFFERY A UTTECHT,

Respondent.

CASE NO. C13-5143 BHS-JRC

ORDER

This matter comes before the Court on the Report and Recommendation ("R&R") of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 22. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is adopted;
- (2) The Court dismisses this petition as time barred and in the alternative the Court dismisses the petition as procedurally barred; and
- (3) The Court will not issue a certificate of appealability.

DATED this 20th day of August, 2013.



BENJAMIN H. SETTLE
United States District Judge